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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CAR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anita Meiklejohn on July 16, 2002

The application has been amended as follows:

Non-elected claims 1-170 were canceled without prejudice towards further prosecution.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The present invention is directed to an isolated nucleic acid probe comprising at least 15 contiguous nucleotides of the nucleotide sequence of SEQ ID NO: 15 (methylenetetrahydrofolate reductase), the probe comprising at least one of : a) nucleotide 464 of SEQ ID NO:15 wherein N is G; b) nucleotide 519 of SEQ ID NO:15 wherein N is T;.c) nucleotide 608 of SEQ ID NO:15 wherein N is T;.d) nucleotide 1059 of SEQ ID NO:15 wherein N is C;.e) nucleotide 1289 of SEQ ID NO:15 wherein N is A;.f) nucleotide 1308 of SEQ ID NO:15 wherein N is C;.g) nucleotide

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1784 of SEQ ID NO:15 wherein N is A. Although, Rozen et al (PCT International Publication Number WO 95/33054) (December 7, 1995) teach an isolated nucleic acid probe comprising at least 15 contiguous nucleotides of the nucleotide sequence of SEQ ID NO: 15 (methylenetetrahydrofolate reductase), the probe comprising at least one of nucleotide 120, wherein N is C, a) nucleotide 464 of SEQ ID NO:15 wherein N is G; b) nucleotide 519 of SEQ ID NO:15 wherein N is T;.c) nucleotide 608 of SEQ ID NO:15 wherein N is T;.d) nucleotide 1059 of SEQ ID NO:15 wherein N is C;.e) nucleotide 1289 of SEQ ID NO:15 wherein N is A;.f) nucleotide 1308 of SEQ ID NO:15 wherein N is C;.g) nucleotide 1784 of SEQ ID NO:15 wherein N is A have neither been suggested or disclosed in any prior art of record. In view of the absence of either teaching or suggestion of such an isolated nucleic acid probe comprising at least 15 contiguous nucleotides of the nucleotide sequence of SEQ ID NO: 15 (methylenetetrahydrofolate reductase), the probe comprising at least one of : a) nucleotide 464 of SEQ ID NO:15 wherein N is G; b) nucleotide 519 of SEQ ID NO:15 wherein N is T;.c) nucleotide 608 of SEQ ID NO:15 wherein N is T;.d) nucleotide 1059 of SEQ ID NO:15 wherein N is C;.e) nucleotide 1289 of SEQ ID NO:15 wherein N is A;.f) nucleotide 1308 of SEQ ID NO:15 wherein N is C;.g) nucleotide 1784 of SEQ ID NO:15 wherein N is A, the present invention is novel and non-obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arun Chakrabarti, Ph.D., whose telephone number is (703) 306-5818. The examiner can normally be reached on 7:00 AM-4:30 PM from Monday to Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones, can be reached on (703) 308-1152. The fax phone number for this Group is (703) 305-7401. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group analyst Chantae Dessau whose telephone number is (703) 605-1237.

Arun Chakrabarti,
Patent Examiner,

July 16, 2002


W. Gary Jones
Supervisory Patent Examiner
Technology Center 1600